


IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA
BIG STONE GAP DIVISION

JUN 05 2008

JOHN F. CONCORAN, CLERK
BY:  DEPUTY CLERK

CHARLES S. CANNADAY,
Plaintiff,

v.

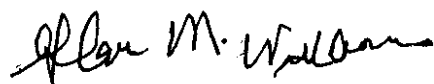
MICHAEL J. ASTRUE,
Commissioner of Social Security,
Defendant.

)
) Civil Action No. 2:07cv00053
)
) **FINAL JUDGMENT AND ORDER**
)
) BY: GLEN M. WILLIAMS
) SENIOR UNITED STATES DISTRICT JUDGE
)

For the reasons stated in the Memorandum Opinion accompanying this Final Judgment, it is **ADJUDGED** and **ORDERED** as follows:

- a. The motion for summary judgment filed by the Commissioner of Social Security is **OVERRULED**;
- b. The motion for summary judgment filed by the plaintiff is **OVERRULED**;
- c. The final decision of the Commissioner denying benefits is **VACATED**;
- d. The plaintiff's claims shall be **REMANDED** pursuant to "sentence four" of 42 U.S.C. § 405(g) for further development;
- e. The Clerk shall send a certified copy of this Final Judgment and the accompanying Memorandum Opinion to all counsel of record; and
- f. The Clerk is directed to close the case and strike it from the docket.

ENTER: This 5th day of June, 2008.



THE HONORABLE GLEN M. WILLIAMS
SENIOR UNITED STATES DISTRICT JUDGE